

REMARKS/ARGUMENTS

Claims 1-19 are pending in this application. Claims 1-8, 12-14, 17 and 19 have been rejected. Claims 9-11, 14-16 and 18 have been objected to, but contain allowable subject matter. Claims 1-19, as set forth in the Listing of Claims, have not been amended.

Claim 1 has been rejected under 35 U.S.C. §102(b) as being anticipated by Krolak et al. (U.S. Patent No. 4,242,721). For the following reasons, the Examiner's rejection is respectfully traversed.

Krolak et al. does not meet every claim limitation of Applicant's Claim 1, and thus does not anticipate the same under the law pertaining to 35 U.S.C. §102. Claim 1 requires that the shelf assembly 40 has at least two customer interface module connectors 60, 61, and that the customer interface module 70 selectively connects to either of the customer interface module connectors 60 or 61. Krolak et al., on the otherhand, does not disclose any such corresponding elements.

The Examiner's rejection states that Krolak et al.'s shelf assembly 30 has *"inherent interface module connectors connectable to either mating connector (60 and 71), which read on claimed 'at least two interface module connectors...'"*. As best understood, this rejection equates Krolak et al.'s connectors 69 and 70 (Figs. 3, 5 and 6) to Applicant's customer interface module connectors 60, 61, as

well as Krolak et al.'s mating connectors 60 and 71 to Applicant's customer interface module 70. This is incorrect.

To be functional, a shelf assembly must connect both the network lines and the customer lines. In Krolak et al., the mating connector 60 connects the **network** line 72 directly to connector 69 on shelf assembly 30, and the mating connector 71 connects the **customer** line 73 directly to connector 70 on shelf assembly 30. In Krolak et al., there is no customer interface module, and there are not two locations at which the missing customer interface module can connect to the shelf assembly. Again, connector 69 (Fig. 5) of Krolak et al. connects the central signal processing system cable 72 (i.e., network line), via hooded mating connector half 60, to Krolak et al.'s shelf assembly 30. As such, connector 69 is not a customer interface module connector. Instead, connector 69 is a network interface connector. Thus, connector 69 would equate to Applicant's network modular connector for facility transmit(XMT) 56 and/or network modular connector for facility receive (RCV) 57 (see Figures 2A, 3, 4A and 4B).

Further, connector 70 (Figs. 3 and 5) of Krolak et al. connects the multi-conductor cable 73 (i.e., customer line), via hooded mating connector half 71, to Krolak et al.'s shelf assembly 30. Thus, connector 70 would equate to the amphenol type connectors 74 on Applicant's customer interface module 70 (see Figures 5B and 5D).

However, unlike Applicant's claimed invention, Krolak et al.'s connector 70 is not on a module that is selectively connectable to either one of two (or more) customer interface module connectors on the shelf assembly.

Again, in Krolak et al., the customer line 73 is connected directly to one and only one connector 70 which is fixed to the shelf assembly 30. In Applicant's claimed invention, the customer line (shown in Fig. 5B and 5D) is connected to a connector 74 on a module 70. The module 70 has a separate connector 78 (Fig. 2C) which is connected to either one of two (or more) connectors 60 or 61 on the shelf assembly 40. Again, Krolak et al. does not have a customer interface module and does not have two places, i.e., at least two customer interface module connectors on the shelf assembly where the customer interface module can connect.

Accordingly, Krolak et al. does not anticipate the limitations of Applicant's Claim 1, and specifically the limitations that there are at least two customer interface module connectors 60, 61 on the shelf assembly, as well as a customer interface module 70 being selectively connectable to either one of the connectors 60, 61. Therefore, Applicant respectfully requests reconsideration and removal of the Examiner's rejection.

Claims 2-8, 12-14, 17 and 19 have been rejected under 35 U.S.C. §103 as being unpatentable over the combination of Krolak et al. in

view of Spaulding (U.S. Patent 4,303,296). For the following reasons, the Examiner's rejection is respectfully traversed.

Applicant respectfully states that the above identified deficiencies of Krolak et al. remain in the Examiner's proposed combination, and for the reasons stated above, the Examiner's proposed combination does not make obvious Applicant's claimed invention.

Specifically, regarding Claim 2, while Spaulding does disclose a cover for the shelf assembly, the proposed combination does not have at least two customer interface module connectors on the shelf assembly (i.e., at least two locations where the customer interface module can connect) as discussed above with respect to the rejection of Claim 1.

Regarding Claim 3, while Spaulding does disclose one side opening in the cover, it does not have side **openings** (plural), i.e., more than one opening. Unlike Applicant's claimed invention, Spaulding has one and only one side opening for its modular interface connector 356, which can only be located in one location.

Regarding Claim 4, the proposed combination does not have at least two customer interface module connectors on the shelf assembly (i.e., at least two locations where the customer interface module can connect) as discussed above with respect to the rejection of Claim 1.

It is further noted that the back wall of the shelf assembly in the proposed combination is not a printed circuit board.

Regarding Claim 5, the proposed combination does not have side **openings** (plural), i.e., more than one opening. Unlike Applicant's claimed invention, Spaulding has one and only one side opening for its modular interface connector 356, which can only be located in one location.

Regarding Claims 6 and 7, the proposed combination fails to teach, disclose or suggest a shelf assembly comprising a printed circuit board, and at least two customer interface module connectors, as discussed above.

Regarding Claim 8, Krolak, and thus the proposed combination, does not have first and second customer interface module connectors, as discussed above. Instead, Krolak has one customer interface connector 70 and one network interface connector 69, as discussed above.

Regarding Claim 12, the cover in the proposed combination does not **enclose** the back wall and each side wall (top, bottom, left and right), unlike Applicant's claimed invention. Applicant's cover encloses or surrounds the printed circuit board, as well as each of the top flange, the bottom flange, the first side flange and the second side flange (see Figures 1A, 1B and 2A). By enclosing or surround these elements, they are all under the cover and cannot be

seen or accessed (except at the openings) unless the cover is removed. The cover of the proposed combination merely aligns with and extends from the sidewalls, and thus does not **enclose** or surround the sidewalls.

Regarding Claim 13, while the cover 210 of the proposed combination does have three cut outs (212, 213 and 214) to allow clearance, those three cutouts do not allow clearance for the customer interface module, as required by Claim 13. Instead, those cutouts allow clearance for the customer lines and the network line. Although not cited, it should be noted that while cover 382 of Spaulding has one cut out 394 which allows for partial clearance of the modular interface connector 356, cover 382 does not have at least two cut out portions to allow clearance of the modular interface connector 356.

Regarding Claim 14, it is unclear whether this claim has been rejected. On page 5 of the Office Action, the two line paragraph beginning "Regarding claim 14," simply ends with the phrase "wherein the." Either the explanation of the Examiner's rejections was inadvertently omitted, or these two lines were inadvertently set forth and the claim was not meant to be rejected. It is noted that Claim 14 was identified as containing allowable subject matter. Thus, if Claim 14 was to be rejected, Applicant respectfully requests a full and fair opportunity to respond to any rejection. It is not

believed that the proposed combination meets the limitation(s) of Claim 14.

Regarding Claims 17 and 19, for the reasons discussed above, the proposed combination fails to meet, inter alia, the limitation(s) that the shelf assembly have both a first and a second customer interface module connector, or a customer interface module selectively and removably connected to either one of these two connectors.

Finally, it should be generally noted that the modular interface connector 356 of Spaulding is "modular" in that the jacks 10 are modular and can be individually slid onto support member 370, which is simply held in place by channels 368 and does not connect to any connector. It is clear that this modular interface connector 356 does not and cannot connect to any customer interface module connector, unlike Applicant's customer interface module 70 which connects to one of two connectors 60 or 61 (see Figures 2A-2C).

As described above, neither Krolak et al., Spaulding, nor the prior art of record, either alone or in combination, fairly teach, suggest or disclose the novel and unobvious features of Applicant's invention as presently claimed. Accordingly, Applicant respectfully asserts that the claims as presented herein are in condition for immediate allowance. An early Notice of Allowance is respectfully requested.

Any arguments of the Examiner not specifically addressed should not be deemed admitted, conceded, waived, or acquiesced by Applicant.

Any additional or outstanding matters the Examiner may have are respectfully requested to be disposed of by telephoning the undersigned.

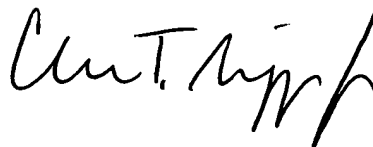
A Petition for an extension of time to make this Response timely is enclosed herewith and respectfully requested.

A form PTO-2038 is enclosed herewith in payment of the Extension fee. The Commissioner is hereby authorized to charge any additional or deficient fees which may be required to Deposit Account 16-0657.

A postcard is enclosed evidencing receipt of the same.

Respectfully submitted,

PATULA & ASSOCIATES, P.C.



Charles T. Riggs Jr.
Reg. No. 37,430
Attorney for Applicant

PATULA & ASSOCIATES, P.C.
116 S. Michigan Ave., 14th Fl.
Chicago, Illinois 60603
(312) 201-8220

28C35